

SENATE BILL REPORT

SB 5128

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, January 29, 2002

Title: An act relating to prescription medications for industrial injuries.

Brief Description: Removing limitation on prescription medications for industrial injuries.

Sponsors: Senator Swecker.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/12/01, 2/19/01 [DPS, DNP]; 1/22/02, 1/29/02 [DP, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Benton, Fairley, Franklin, Gardner, Rasmussen, Regala and Winsley.

Minority Report: Do not pass.

Signed by Senators Hochstatter and Honeyford.

Staff: Jack Brummel (786-7428)

Background: Injured workers are entitled to medical services during the period of their disability. Medical treatment and the payment of prescription medications for pain may be continued after a person's claim is closed and they are given a pension if deemed necessary by the Director of the Department of Labor and Industries. For pensioned workers, the department is prohibited from paying for those prescription medications listed as Schedule I-IV controlled substances under the state's Uniform Controlled Substance Act. Of these substances, which include opiates and their derivative, hallucinogens, stimulants, depressants and steroids, most have currently accepted medical use in treatment in the United States.

Summary of Substitute Bill: The restriction on payment for prescription medications listed as Schedule I-IV controlled substances is modified. For pensioned workers, opiate medications from Schedules I, II, and III, which have currently accepted medical use in treatment in the United States, may be paid for at the director's discretion.

Substitute Bill Compared to Original Bill: The original bill allowed payment for all prescription medications listed as Schedule I-IV controlled substances.

Appropriation: None.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: Pensioners are entitled to receive paid medication. This would ensure that effective medication may be prescribed at the doctor's discretion.

Testimony Against: The department needs stronger enforcement powers and supervision of pensioners to make this work. This is a concern about over prescription.

Testified: Robby Stern, Washington State Labor Council (pro); Clif Finch, AWB (con); Tom Kwieciak, AWB, BIAW; Kathleen Collins, WA Self-Insurers Assn (con).